

Message Text

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TAGS: OCON, ICNAF, US

SUBJECT: INTERNATIONAL COMMISSION FOR THE NORTHWEST ATLANTIC
FISHERIES (ICNAF)

1. PLEASE PASS THE FOLLOWING TO L.R. DAY, EXECUTIVE
SECRETARY OF ICNAF, FOR CIRCULATION AS A COMMISSIONERS
DOCUMENT:

U.S. VIEWS ON THE EXEMPTION CLAUSES IN ICNAF TRAWL REGULA-
TIONS IN SUBAREAS 3, 4, AND 5

AT THE 1974 ANNUAL MEETING, AS AT THE PRECEDING 23RD ANNUAL
MEETING, THE UNITED STATES PROPOSED ELIMINATION OF THE 10
PERCENT ANNUAL EXEMPTION FOR THE TRAWL REGULATIONS IN SUB-
AREAS 3, 4, AND 5. IN SO DOING, THE UNITED STATES
STRESSED THE FACT THAT THE ANNUAL EXEMPTION CREATED TWO
CRITICAL PROBLEMS: INEQUITABLE ENFORCEMENT AND THE ALLOW-
ANCE OF EXCESSIVE BYCATCHES. WITH REGARD TO THE LATTER,
THE UNITED STATES EMPHASIZED THAT THE 10 PERCENT ANNUAL
EXAMPTION ALLOWED A BYCATCH IN CERTAIN DIRECTED FISHERIES
WHICH, WHEN SUMMED OVER MANY VESSELS AND A LONG PERIOD,
RESULTED IN TOTAL CATCHES IN EXCESS OF THAT REQUIRED TO
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CONSERVE SERIOUSLY DEPLETED STOCKS, SUCH AS YELLOWTAIL

FLOUNDER AND HADDOCK, AND WHEN UNRECORDED SERIOUSLY JEOPARDIZED THE ACCURACY OF ASSESSMENTS.

IN AN ATTEMPT TO SOLVE BOTH THESE PROBLEMS THE UNITED STATES PROPOSED A MODIFIED EXEMPTION PROVISION (COMM. DOC. 74/30) ELIMINATING THE ANNUAL EXEMPTION BUT PROVIDING FOR HIGHER BYCATCHES BY WEIGHT. HOWEVER, SUCH A PROPOSAL PRESENTED DIFFICULTIES FOR SOME MEMBER NATIONS AND AS A RESULT A SUBSTANTIALLY DIFFERENT COMPROMISE PROPOSAL WAS ADOPTED. AT THE TIME THE UNITED STATES NOTED THAT WHILE ADDRESSING THE PROBLEM OF EQUITABLE ENFORCEMENT, THE COMPROMISE PROPOSAL DID NOT RESOLVE THE CRITICAL PROBLEM OF EXCESSIVE BYCATCHES, AS PROVISIONS IN THE U.S. PROPOSAL WHICH WOULD HAVE ACCOMPLISHED THIS WERE ELIMINATED. CONSEQUENTLY, THE UNITED STATES ACCEPTED THE PROPOSAL WITH THE GREATEST RELUCTANCE AND ONLY AS AN INTERIM MEASURE.

ACCORDINGLY, IT IS THE VIEW OF THE UNITED STATES THAT THE COMMISSION MUST RE-EXAMINE THE ENTIRE QUESTION OF TRAWL FISHERY EXEMPTIONS IN SUBAREAS 3, 4, AND 5 IN ORDER TO DEVELOP A PROPOSAL WHICH WILL ADEQUATELY ADDRESS THE BY-CATCH PROBLEM AS WELL AS PROVIDE FOR EQUITABLE ENFORCEMENT BETWEEN SMALL COASTAL VESSELS AND DISTANT WATER FLEETS. THE COMMISSION CANNOT HAVE AN EFFECTIVE REGULATION WHICH FAILS TO ADDRESS THESE ISSUES. FURTHER PROPOSALS WILL BE MADE BY THE UNITED STATES IN AN ATTEMPT TO RESOLVE THIS CRITICAL PROBLEM. KISSINGER

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